



GVNW

September 1, 1999

VIA FEDERAL EXPRESS

Magalie Roman Salas
Secretary
Federal Communications Commission
1919 M Street N.W., Room 222
Washington, DC 20554

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SEP 02 1999

FCC MAIL ROOM

Dear Ms. Salas:

Re: CCD No. 98-170; In the Matter of Truth-In-Billing and Billing Format

Enclosed for filing in the above captioned matter are an original and four (4) copies of a Petition of Mollala Telephone Company d/b/a Mollala Communications Company for Stay or in the alternative an Extension of Time. We trust that the enclosed will be found in order for filing and grant. We have also enclosed one copy to be stamped and returned in the enclosed self-addressed stamped envelope.

Should you require any further information, or have any questions regarding this filing, please call me at (503) 612-4400.

Sincerely,

A handwritten signature in cursive script that reads "Leslie Christina Pilgrim".

Leslie Christina Pilgrim
Consultant

Enclosures

cc: Service List

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GVNW INC./MANAGEMENT

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Before the
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

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In the Matter of)
the Petition of Mollala)
Telephone Company Request for)
Waiver of Truth-In-Billing)
And Billing Format Implementation)
Deadline)

CC Docket No. 98-170

PETITION OF MOLLALA TELEPHONE COMPANY
FOR LIMITED WAIVER OF THE TRUTH-IN-BILLING
IMPLEMENTATION DATE

Mollala Telephone Company
P.O. Box 360
Mollala, Oregon 97038

Date Submitted: September 1, 1999

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Before the
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

In the Matter of)	
the Petition of Mollala)	
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And Billing Format Implementation)	
Deadline)	

PETITION OF MOLLALA TELEPHONE COMPANY
FOR LIMITED WAIVER OF THE TRUTH-IN-BILLING AND BILLING FORMAT
IMPLEMENTATION DATE

Mollala Telephone Company d/b/a Mollala Communications Company (hereinafter Mollala) hereby respectfully requests a stay of enforcement of the Commission's Truth-In-Billing (TIB) rules. In the alternative, Mollala respectfully requests a grant to Mollala a waiver of the effective date of the rules until June 30, 1999.¹

Mollala has been notified by its billing agent, Western DataPro, that it will not be able to meet the currently expected September effective date.² As specified in Attachment A, Western DataPro is currently undertaking modifications necessary to make its billing system Y2K compliant. These Y2K compliance efforts make it difficult for Western DataPro to address the

¹ *In re Truth-In-Billing Format, First Report and Order and Further Notice of Proposed Rulemaking*, CC Docket 98-170 (released May 11, 1999) ("TIB Order") (also, relevantly, the further notice of proposed rulemaking portion of the TIB Order is hereafter referred to as "Further Notice"), as published in the *Federal Register* ("Fed. Reg.") [CC Docket 98-170; FCC 99-72], 64 *Fed. Reg.* 34487-34498 (Jun. 25, 1999) (to be codified at 47 C.F.R. Part 64, Subpart U, Subsections 64.2000, 64.2001).

² In the Public Notice released July 20, 1999, DA 99-1423, the Commission stated "The Common Carrier Bureau is in the process of resubmitting the information collections and addressing OMB's concerns. All of the rules adopted in the Truth-In-Billing Order shall become effective upon OMB approval. The Commission will publish a document in the *Federal Register* announcing the effective date of the rules, which shall be no sooner than September 6, 1999".

TIB requirements until such time as Y2K modifications are complete. Because of its Y2K efforts, Western DataPro estimates that implementation of the TIB rules will not be concluded until April of 2000. Since this is only an estimate of the timeframe for completion of TIB implementation, it is possible that actual implementation of the rules will take longer. Accordingly, Mollala requests it be allowed at least until June 30, 2000, to implement TIB. This will allow for additional time to address unforeseen problems resulting from the Y2K phenomenon. Mollala believes it is in the public interest for Western DataPro to delay TIB implementation so as not to cause diversion from critical Y2K efforts. The need to devote computer programming resources to Y2K is good cause for delaying programming efforts related to TIB implementation. Mollala believes the public interest is best served by not compromising Y2K efforts. Implementation of TIB rules within approximately 6 to 8 months will not harm the public interest. Accordingly, Mollala believes these circumstances fulfill the requirements of Section 1.3 of the Commission's rules for granting of waivers.³

In support of a stay of the TIB rules, Mollala offers that the Commission needs to address cost recovery by small companies of TIB implementation costs prior to any final effective date. Mollala is a small Local Exchange Carrier (LEC) in the state of Oregon serving approximately 6,300 access lines. The estimated cost to Mollala of implementing the TIB rules is \$11,959. As this is only an estimate it is quite possible the actual costs could be greater. The economic penalty of having to implement the TIB rules in any time frame is compounded due to the lack of economies of scale and scope for small LECs such as Mollala. The Order does not specify how

³ 47 C.F.R. § 1.3.

the dollars for the system development and related costs associated with TIB implementation by small companies are to be recouped.⁴

Conclusion

In conclusion, Mollala seeks a stay of the TIB order, or the alternative respectfully requests a waiver from any effective date for the TIB rules until at least June 30, 2000.

MOLLALA TELEPHONE COMPANY

By Richard C. Petrone
Richard C. Petrone, General Manager

⁴ GVNW Consulting, Inc., issued the issue of cost recovery for TIB implementation related to small rate of return (ROR) companies in its comments filed *In the Matter Truth-In-Billing and Billing Format*, CCD Docket 98-170, filed November 13, 1998, pgs. 9-11.



**WESTERN
DATAPRO**

July 23, 1999

Dick Petrone
Molalla Communications Company
PO Box 360
Molalla, OR 97038-0360

Dear Dick:

The enclosed news briefs (taken from the *USTA Weekly* for July 16 and the July 21 *NTCA Washington Report*) discuss efforts to delay implementation of the FCC's Truth-in-Billing (TIB) Order. We have been advised to let you know that Western Datapro will not be able to make the required changes before the September deadline (as a result of our Y2K development shut down).

We expect the changes required by TIB to be completed by the 4/1/00 cycle, at the earliest, at a cost to you of approximately \$11,959. However, until we are finished with the work associated with our Y2K testing, we will not be able to make a more precise time or cost estimate.

As always, if you have questions, please feel free to give me a call.

Sincerely,

Sally Eich,
General Manager

SRE/pf
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CC: Carston @ GVNW

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